

Plan Commission
Initiated by

P. Delker
Drafted by

March 8, 2007
Date

RESOLUTION R-34-07
A RESOLUTION APPROVING AMENDMENTS TO COMPREHENSIVE
DEVELOPMENT PLAN, AND GRANTING APPROVAL OF
PRELIMINARY PLAT (PP-1635-07) FOR ORCHARD POINTE

WHEREAS, Peterson Properties and EZ Nesbitt LLC has submitted a request for preliminary plat (PP-1635-07) approval following approval of an amendment to the comprehensive development plan, and

WHEREAS, the Plan Commission has reviewed and recommended approval, with conditions, of both the amendment to the comprehensive development plan and the preliminary plat,


NOW, THEREFORE, BE IT HEREBY RESOLVED that the City Council of the City of Fitchburg herewith approves the amendments to the comprehensive development plan for Orchard Pointe with the following conditions:

1. It is noted that some of the uses in the CDP are not compatible with current zoning in place and that the applicants are fully aware of the situation of the inconsistencies involved.
2. Applicant shall update the table and CDP documents to require the general office space on site 200 (east side of the lot) to be a true two story building with at least 7,000 sq. ft. being second floor office space. All or a portion of lower level space may be retail space.
3. No other permit or approval is waived or deemed satisfied except for the approval herein provided. Approval is based on the January 9, 2007 document "Orchard Pointe Comprehensive Development Plan Amendment 1", memorandums from Mayo Corporation dated 1/23/2007, and 2/26/2007 and related submittals of lot layout exhibit for Orchard Pointe final plat (1/23/2007), Table 1, Orchard Pointe Development Standards dated 2/22/2007; grading plan and cross sections by Calkins Engineering dated 2/22/2007, and the same from Mayo Corporation received 2/26/2007; preliminary plat last date 2/26/2007 (possibly revised to reflect necessary corrections). This approval amends the original Comprehensive Development Plan, although all aspects of prior approvals remain in force and effect unless specifically altered by the document or its approval.

BE IT FURTHER RESOLVED that the City Council of the City of Fitchburg, Dane County, Wisconsin approves the submitted preliminary plat PP-1635-07 with the following conditions:

1. No other permit or approval is waived or deemed satisfied except for the approval herein provided. Conditions 4, 5, 8, 9 and 12 of R-81-06 carry forth and are part of this approval.
2. This preliminary plat shall be included with the preliminary Plat (PP-1509-06) approved by R-81-06 and both submitted as one final plat.
3. Correct wording for note referring to Outlot 1; correction to open space table shall be placed on the plat.

Adopted by the City Council of the City of Fitchburg this 13th day of March, 2007.


Tanya O'Malley, Deputy Clerk

Approved: 03-22-07


Tom Clauder, Mayor

Orchard Pointe

Comprehensive Development Plan

Amendment One

PREPARED FOR

**Peterson Properties
PO Box 930130
Verona, WI 53593-0130**

**EZ Nesbitt LLC
c/o Tim Neitzel
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PREPARED BY

**Mayo Corporation
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January 9, 2007



Table of Contents

	Page No.
Introduction / Background	1
General Description	1
Sequence of Development Approvals	2
Land Use Development and Zoning	2
Traffic Generation and Circulation	2
Open Space Preservation	3
Storm Water Management	3

Attachments

- A. Map 1 Land Use Development Plan
- B. Map 2 Proposed Zoning Plan
- C. Table 1 Development Parameters

Introduction/Background

The Orchard Pointe Comprehensive Development Plan (CDP) was adopted by the City of Fitchburg in April 2006 after extensive public review and discussion. The CDP established the framework for the commercial development of approximately 120 acres located in the southwest quadrant of the McKee Road x Verona Road intersection.

The Plan addressed issues and set development parameters for land use, zoning, public improvements, architectural character, traffic circulation, storm water management and open space preservation.

During the course of discussion on the CDP, the City and the property owners acknowledged that the sequence of development in this area would require revision and amendment in order to incorporate property assembly, rezoning and land divisions that had not been completed or contemplated at the time of the original adoption.

This amendment is the first amendment of the CDP and focuses on the lands, owned by Peterson Properties and EZ Nesbitt, LLC, that are located immediately to the East of Fitchrona Road. This area includes the former Urban Links driving range and the EZ Gregory property.

General Description

This area, referred to as Orchard Pointe II, will encompass seven development sites consistent with the concept presented in the approved CDP. These sites include five lots along the McKee Road frontage accessed by an internal private drive, and two larger lots (one along Fitchrona Road and the other along Hardrock Road). Uses for the McKee Road frontage lots will include restaurants, financial institutions and small retail space. The larger lots will accommodate multiple "junior box" stores ranging from 20,000 to 47,000 square feet in a shopping center format with smaller retail spaces.

The most challenging aspect of development in the Orchard Pointe II area is the dramatic topographic change from East to West, with the land rising from an elevation of 985 ft at the detention basin (behind Jung's Garden Center) to an elevation of 1060 ft at Fitchrona Road. This grade change will be incorporated into the overall character of the development with a series of landscaped retaining walls constructed to create a unique and visually interesting setting for the commercial activities. This gradient also supports the development of multi story buildings along part of the McKee Road frontage.

Other aspects of the development in the Orchard Pointe II area will be consistent with the architectural guidelines included in the adopted Orchard Pointe CDP which continue to be applicable to this location.

Development parameters relating to zoning, building size, parking, open space, and traffic generation are summarized in Table 1 "Development Parameters".

Sequence of Development Approvals

1. CDP Amendment relating to Orchard Pointe II.
2. Rezoning of property included in Orchard Pointe II. Concurrent with this CDP Amendment (by separate approval action).
3. Preliminary Plat of Orchard Pointe II.
4. Final Plat of Orchard Pointe. Includes portions of the Orchard Pointe and Orchard Pointe II Preliminary Plats.
5. Site Plan and Architectural Review of individual development sites.

Land Use Development and Zoning

See Map 1 "Land Use Development Plan" and Map 2 "Proposed Zoning Plan".

Business General (B-G) zoning is proposed for the 5 parcels along the northerly portion of the Orchard Pointe II area. This zoning permits a mix of uses consistent with the development of the similar lands to the west of Fitchrona Road. Uses will include: Restaurants, financial institutions, and small retail centers. Some uses will require Conditional Use Permits (CUPs), which will be requested in the future by the prospective purchaser/lessee of the sites.

The two larger parcels in Orchard Pointe II will remain as Business Highway (B-H) zoning at this time. It is anticipated that rezoning of these two sites may occur in the future as specific site plans and purchasers/lessees are identified.

Traffic Generation and Circulation

The approval of the initial Orchard Pointe CDP included a provision that future land uses would need to be generally consistent with, but could not exceed, the vehicle trip generation projections which were included in the Traffic Impact Analysis report and supplemental information prepared by Strand and Associates, and RLK Engineering. These projections and the anticipated vehicle trips for the various uses and building sizes in Orchard Pointe and Orchard Pointe II have been included in Table 1 in order to monitor the potential impacts of this development. Proposed traffic projections from Orchard Pointe and Orchard Pointe II are approximately 11% below the projected maximum traffic levels which were used for the designed improvements of the adjoining streets and intersections.

Open Space Preservation

The overall goal of 35% open space within the Orchard Pointe area is being maintained. At a minimum, each lot will maintain at least 20% of its area as pervious open space. As site plans are finalized, some lots will be required to secure and permanently preserve open space in the two outlots which encompass the wooded hillside and wetland facing Nesbitt Road. To satisfy this preservation requirement, it is anticipated that the Owner of Lots 3, 4, 6, and 7 of the Orchard Pointe II Preliminary Plat will be required to complete and agreement with the Owner of the outlots.

Storm Water Management

All of the lands encompassed by Orchard Pointe II drain to the Jamestown Storm Water Management Assessment area, and drain to the existing basins maintained by the City. Consequently, the lots within Orchard Pointe II only need to satisfy City storm water infiltration requirements. Each user will be encouraged to maximize infiltration of clean roof water and treated parking lot water beyond the minimum standards if feasible.

TABLE 1 Reformatted
Orchard Pointe
Development Parameters

Comprehensive Development Plan

Approved
CDP and Addendum One

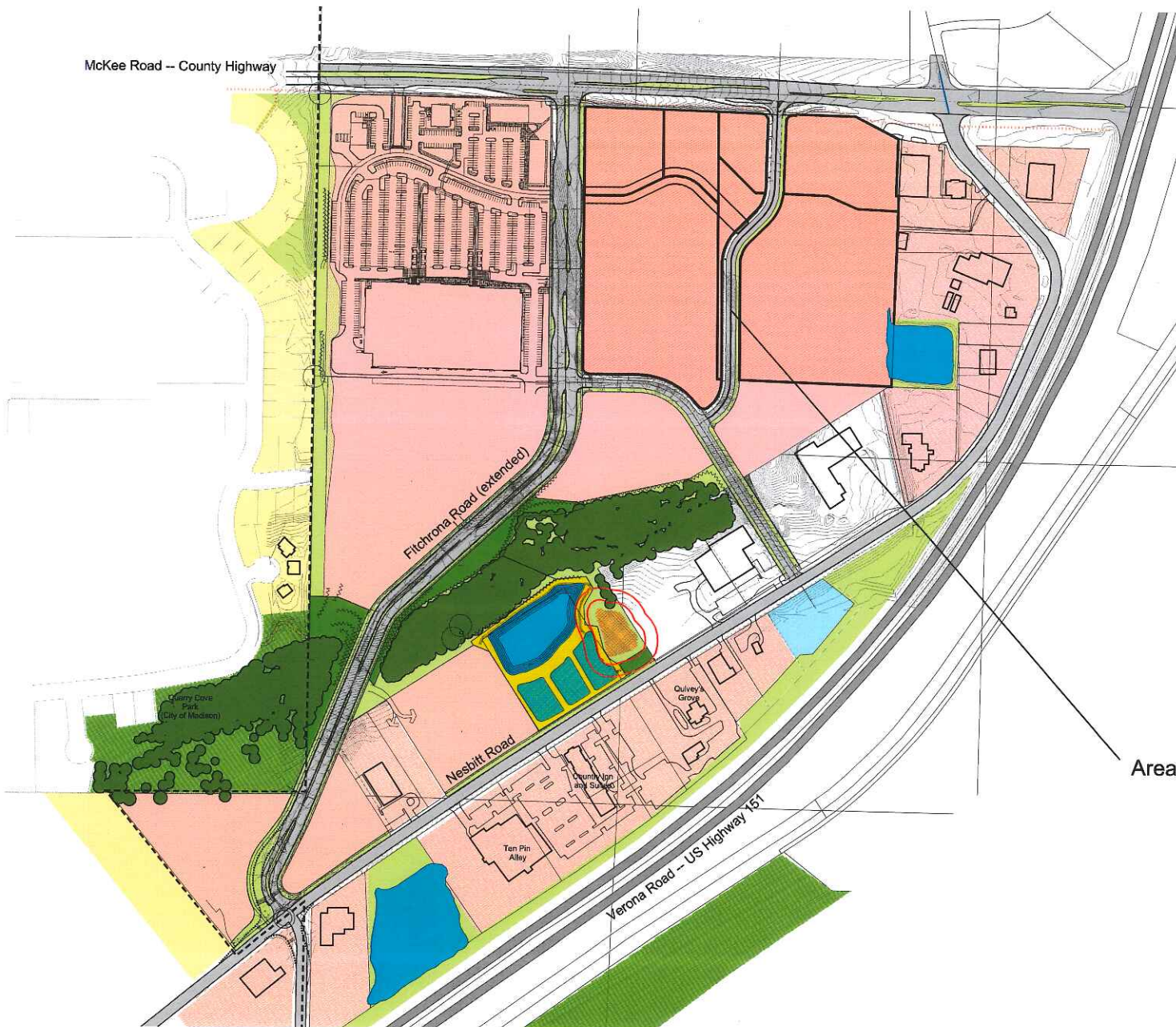
Parcel	Building Site	Area (acres)	Zoning	ITE Code	Use Approved Subject to CUP &/or Site Plan Approval	FAR Range	Req'd Open-space	Projected GFA	Parking Rate/1000 GFA	Parking Spaces	Projected Traffic PM Peak Rate/1000 GFA or Bank Lanes	Strand Trip Projection
Development Area												
100	1	20.32	B-G		Commercial	0.25 - 0.28	20%	203,150	4.5	973	980	1042
	2		B-G		912 Bank w/ 4 drive-thru lanes			5,000	4.5	23	4	204
	3		B-G/CUP		932 High-turn restaurant			5,800	15	84	10.92	61
	4		B-H/CUP		814 Specialty Retail Center			18,000	4.5	81	2.71	49
					813 Large Scale Discount Store w/ Grocery			174,550	4.5	785	3.87	878
200	Building sites to be determined	11.40	B-H		Commercial	0.15 - 0.25	35%	59,500	4.5	467	519	594
			B-H		932 High-turn restaurant			6,000	15	90	10.92	66
			B-H		912 Credit Union w/ 3 drive-thru lanes			5,000	4.5	23	3	153
			B-H		814 Specialty Retail Center			20,000	4.5	90	2.71	54
			B-H		814 Specialty Retail Center			6,000	4.5	27	2.71	16
			B-H		814 Specialty Retail Center			7,500	4.5	34	2.71	20
			B-H		879 Arts & Crafts Store			20,000	4.5	90	6.21	124
			B-H		867 Office Supply Store			25,000	4.5	113	3.40	85
300	Building sites to be determined	11.96	B-H		Commercial	0.25 - 0.28	20%	88,000	4.5	396	218	228
			B-H		Home Improvement Store			80,000	4.5	360	2.45	186
			B-H		Specialty Retail Center			8,000	4.5	36	2.71	22
400	Building sites to be determined	3.76	B-G		Mixed Use Commercial-Office-Residential	0.25 - 0.30	20%	27,400	3.3	151	98	227
			B-G		Specialty Retail Center			6,200	3.3	20	2.71	17
			B-G		General Office			16,000	3.3	53	1.49	24
			B-G		Quality Restaurant			5,200	15	78	7.49	39
			B-G		26 Upper Story Dwelling Units			26	==		0.62	18
500 Parcel eliminated to accommodate Fitchrona Road re-alignment												
600	1	2.12	B-H		Commercial	0.05 - 0.06	20%	3,800	3.3	13	131	385
					Convenience Market (No Fuel)			3,800	3.3	13	34.57	131
700	Building sites to be determined	3.74	B-H		Mixed Use Commercial-Warehousing	0.25 - 0.45	20%	30,000	3.3	80	36	75
			B-H		Specialty Retail Center			6,000	3.3	20	2.71	16
			B-H		General Office			10,000	3.3	33	1.49	15
			B-H		Warehousing			14,000	0.5	7	0.47	7
800-900	Building sites to be determined	12.15	B-H		Commercial	0.25 - 0.28	35%	147,000	4.5	579	744	742
			B-H		Specialty Retail Center			10,000	3.3	33	2.71	27
			B-H		High-turn Restaurant			14,000	15	105	10.92	153
			B-H		Fast-food Restaurant w/ drive-thru			3,000	10	30	34.64	104
			B-H		Apparel Store			120,000	4.5	405	3.83	460
1000	1	5.2	B-H		Mixed Use Commercial-Warehousing	0.25 - 0.29	35%	51,000	3.3	85	53	45
			B-H		Specialty Retail Center			6,000	3.3	20	2.71	16
			B-H		General Office			15,000	3.3	50	1.49	22
			B-H		Warehousing			30,000	0.5	15	0.47	14
1100	1	5.3	B-H		Commercial	0.20 - 0.25	35%	40,000	3.3	191	143	47
			B-H		Specialty Retail Center			30,000	3.3	99	2.71	81
			B-H		General Office			5,000	3.3	17	1.49	7
			B-H		High-turn Restaurant			5,000	15	75	10.92	55
1200	Building sites to be determined	4.16	B-G		Mixed Use Commercial-Office-Residential	0.20 - 0.25	35%	24,000	4	96	74	74
			B-G		Specialty Retail (1.81 acres)			24,000			2.71	65
			B-G		General Office						1.49	0
			B-G		14 Dwelling Units (2.5 acres)			14	==		0.62	9
	Building sites to be determined	2.6	B-G		Commercial	0.20 - 0.25	35%	9,000	3.3	30	24	24
					Specialty Retail			9,000	3.3	30	2.71	24
Open Space												
		7.46	P-R		Environmental Corridor							
					Private Open Space							
		2.62			Environmental Corridor							
	1	1.52	P-R		Public Parkland							
	2	1.17										
	3	0.13										
		3.82	P-R		Environmental Corridor							
	1				Stormwater Management							
Street Rights of Way												
		0.26			McKee Road							
		8.14			Fitchrona Road/Nesbitt Road							
		1.7			Limestone Lane							
		2			Hardrock Road							
Summary CDP								Total Projected PM Peak Hour Trips		3029	3379	
Development Area								CDP				
Open Space												
Street Rights of Way												
Total								108.89				

Proposed Ammendment One

Building Site	Area	Zoning	ITE Code	Use	FAR Range	Req'd Open-space	Projected GFA	Parking Rate/1000 GFA	Parking Spaces	Projected Traffic PM Peak Rate/1000 GFA or Bank Lanes
No change proposed										
Parcel 200										
1	11.40	B-G		Commercial	0.15 - 0.25	35%	91,680	4.5	488	579
2	2.06	B-G		932 High-turn restaurant			6,000	15	90	10.92
3	1.24	B-G		912 Credit Union w/ 4 drive-thru lanes			7,180	3.3	24	4
	8.13	B-H		814 Specialty Retail Center			20,000	4.5	90	2.71
		B-H		814 Specialty Retail Center			6,000	3.3	27	2.71
		B-H		814 Specialty Retail Center			7,500	3.3	34	2.71
		B-H		879 Arts & Crafts Store			20,000	4.5	90	6.21
		B-H		867 Office Supply Store			25,000	4.5	113	3.40
No change proposed										
No change proposed										
No change proposed										
Parcels 800 & 900										
1	12.69	B-G		Commercial	0.25 - 0.28	28%	130,725	4.5	609	738
	0.97	B-G		912 Bank w/ 4 drive-thru lanes			5,000	3.3	17	4
		B-G		710 General Office			8,200	3.3	27	1.49
2	0.87	B-G		814 Specialty Retail Center			4,800	3.3	16	2.71
3	2.80	B-G		814 Specialty Retail Center			19,175	3.3	63	2.71
		B-G		934 Coffee Shop w/ drive-thru			1,800	10	18	34.64
		B-G		932 High-turn Restaurant			5,250	15	79	10.92
4	8.35	B-H		870 Apparel Store			48,500	4.5	209	3.83
		B-H		883 Electronics Superstore			30,000	4.5	135	4.50
		B-H		849 Tire Superstore			10,000	4.5	45	2.11
No change proposed										
No change proposed										
No change proposed										
No change proposed										

Summary (CDP Amendment)

Development Area	83.51
Open Space	14.12
Street Rights of Way	12.1
Total	109.73



Comprehensive
Development Plan

Orchard Pointe

CDP Amendment One

Map 1

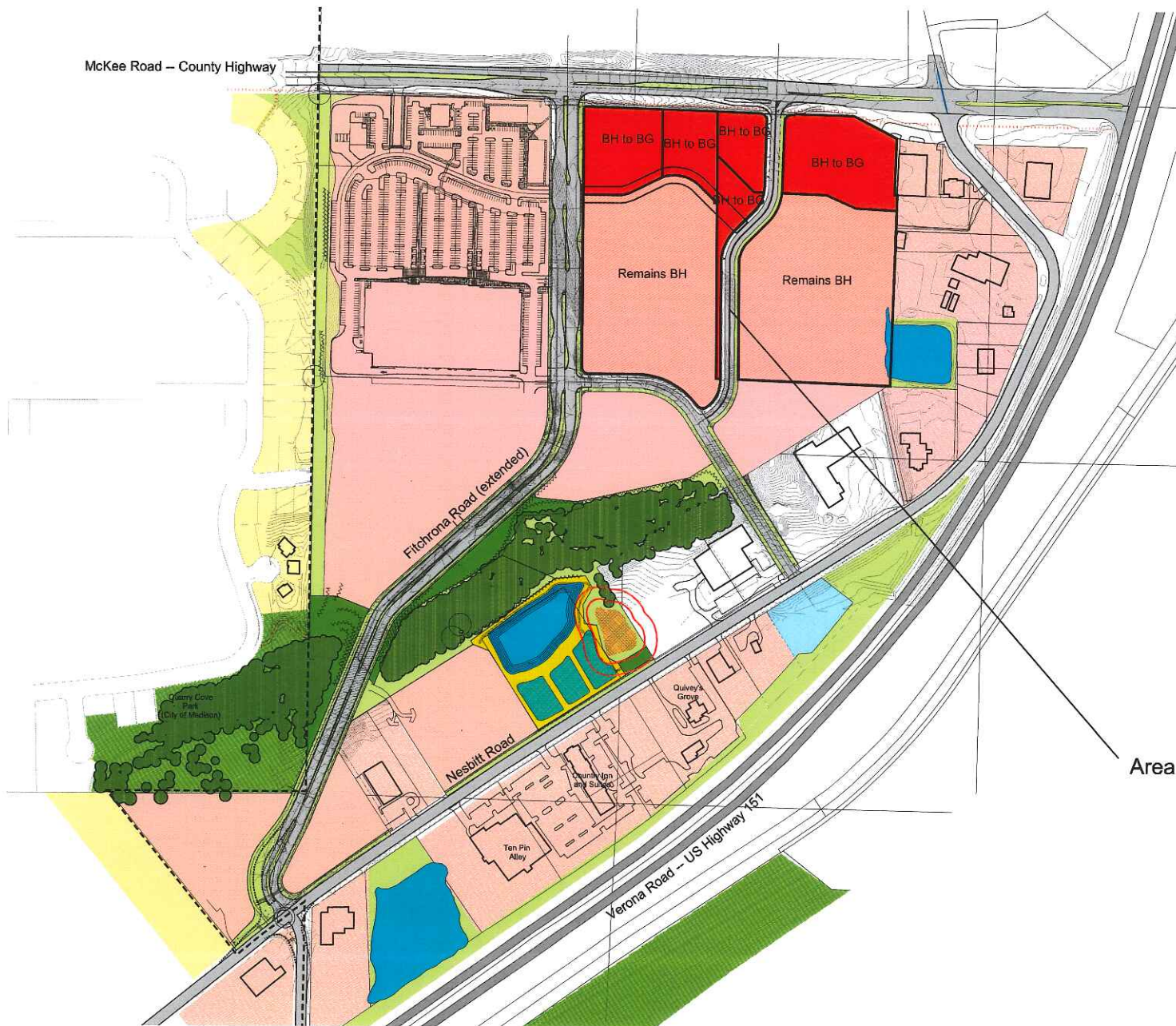
Legend

Planned Land Use	
	Commercial
	Parks & Open Space
	Storm Water Management

Area affected by Amendment 1



January 9, 2007



*Comprehensive
Development Plan*

Orchard Pointe

CDP Amendment One

Map 2

Proposed Zoning

Area affected by Amendment 1



January 9, 2007

Notes on Traffic Projection Information in Table 1

1. Street and intersection capacity and geometrics for Fitchrona Road, McKee Road, Hardrock Road and Nesbitt Road we based on a Strand Associates report dated 6 March 2006. This report concluded that development and redevelopment of Orchard Pointe and adjoining areas would add 4266 new raw trips in the PM peak hour to the street network. 3379 of these trips were attributed to parcels within the Orchard Point project area.

These trips have been allocated as follows

CDP Parcel	PM Pk Hr Trips
100	1042
200	594 *
300& 500	228 **
400	227
600	385
700	75
800 & 900	742 ***
1000	45
1100	41
1200	not included in Strand Study

* Included trip generation for an Arts and Crafts store which ITE identifies as not being statistically valid due to only one sample in survey

** The Fitchrona Road realignment eliminated parcel 500 and expanded the area of parcel 300. Parcel 500 trips were therefore combined with parcel 300

*** These areas were acquired by EZ Nesbit and trips combined.

2. The Orchard Pointe project underwent several design changes after the Strand report and two traffic projection factors were modified for the Table

Fitchrona Road Re-alignment

Re-arrangement of open space and stormwater areas

Trip generation rates are based on building square footage and Weekday PM Peak hour of adjoining street except for banks which are based on the number of drive-thru lanes (per City of Fitchburg staff) This adjusts for an inconsistency in the Strand Report which used a Weekday peak hour of Generator instead of peak hour of adjoining street.

These changes to projection methodology resulted in a traffic projection for the final CDP that is 448 trips less than the Strand Report.

Table 1 allocates 98 of these trips to parcel 1200 and 2002 which were not included in the Strand Report as development areas.

The remaining 350 trips(11%) are therefore available and provide a flexibility factor in trip and land use analysis